

Please Direct All Correspondence to Customer Number 30,313

NOTICE OF APPEAL

FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : Goddard et al.
App. No : 10/063,587
Filed : May 3, 2002
For : SECRETED AND TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC ACIDS
ENCODING THE SAME
Examiner : Claire M. Kaufman
Art Unit : 1646

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 21, 2005

(Date)

AnneMarie Kaiser, Reg. No. 37,649

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated June 22, 2005 finally rejecting Claims 1-5.

| FEE CALCULATION | | | | |
|------------------|-------------|--------------|----------------------|--------------|
| FEE TYPE | | FEE CODE | CALCULATION | TOTAL |
| Notice of Appeal | 41.20(b)(1) | 1401 (\$500) | | \$500 |
| | | | TOTAL FEE DUE | \$500 |

- (X) A check in the amount of \$500 is enclosed.
(X) An Information Disclosure Statement and PTO/SB/08 equivalent listing references for consideration:
(X) Listing 5 references and enclosing 5 references.
(X) Return prepaid postcard.

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Dated: September 21, 2005

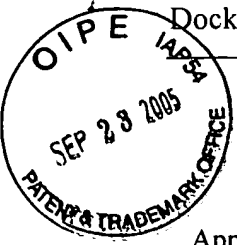
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AnneMarie Kaiser
Registration No. 37,649
Attorney of Record
Customer No. 30,313
(619) 235-8550



INFORMATION DISCLOSURE STATEMENT

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Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing 5 references to be considered by the Examiner. Also enclosed are 5 foreign patent references and/or non-patent literature as listed on the Information Disclosure Statement.

Please place these references in the file of the above-identified patent application in accordance with 37 C.F.R. § 1.97(i).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Sept. 21, 2005

By: AnneMarie Kaiser

AnneMarie Kaiser
Registration No. 37,649
Attorney of Record
Customer No. 30,313
(619) 235-8550

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

| | | |
|---------------------------------------|----------------------|-------------------|
| | Application No. | 10/063,587 |
| | Filing Date | May 3, 2002 |
| | First Named Inventor | Goddard et al. |
| | Art Unit | 1646 |
| (Multiple sheets used when necessary) | Examiner | Claire M. Kaufman |
| SHEET 1 OF 1 | Attorney Docket No. | GNE.3230R1C61 |

FOREIGN PATENT DOCUMENTS

| Examiner Initials | Cite No. | Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1 | Publication Date MM-DD-YYYY | Name of Patentee or Applicant | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T ¹ |
|-------------------|----------|------------------------------------------------------------------------------------|--------------------------------|-----------------------------------|--------------------------------------------------------------------------------|----------------|
| | 1 | WO 97/38085 | 10-16-1997 | California Pacific Medical Center | | |

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ¹ |
|-------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| | 2 | ALBERTS, et al. 1994. <i>Molecular Biology of the Cell</i> , 3rd Edition, pp. 1216-1217. New York: Garland Publishing. | |
| | 3 | ANDERSON, et al. 1997. A comparison of selected mRNA and protein abundances in human liver. <i>Electrophoresis</i> , 18:533-537. | |
| | 4 | FESSLER, et al. 2002. A genomic and proteomic analysis of activation of the human neutrophil by lipopolysaccharide and its mediation by p38 mitogen-activated protein kinase. <i>The Journal of Biological Chemistry</i> , 277(35):31291-31302. | |
| | 5 | TOKUNAGA, et al. 2000. Application of quantitative RT-PCR using "TaqMan" technology to evaluate the expression of CK 18 mRNA in various cell lines. <i>J. Exp. Clin. Cancer Res.</i> , 19(3):375-381. | |

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|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T¹ - Place a check mark in this area when an English language Translation is attached.